UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/061,174	02/04/2002	Hitoshi Yamakado	111885	9628

25944	7590	06/29/2005	

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EXAMINER
HA, LEYNNA A

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-8* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-8* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *04 February 2002* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☒ All b) ☐ Some * c) ☐ None of:
        1. ☒ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____.
        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *2/3/2004*.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-8 have been examined and a search was performed.

Claims 1-8 are pending.

2.   Claims 1-8 contains minor informalities.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102

that form the basis for the rejections under this section made in this Office

action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section
> 122(b), by another filed in the United States before the invention by the applicant for patent
> or (2) a patent granted on an application for patent by another filed in the United States
> before the invention by the applicant for patent, except that an international application
> filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application
> designated the United States and was published under Article 21(2) of such treaty in the
> English language.

3.   **Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipate by**

Norris, Jr. (US 6,695,207).

As per claim 1:

Norris teaches a data processor, comprising:

a discrete operating device for transmitting identification data; **[col.7, lines 15-26]**

an operation detection means for detecting **[col.4, lines 47-48 and col.9, lines 51-52]** and outputting an operation of an operating device; **[col.4, lines 24-25]**

a storage means for storing identification data; **[col.8, lines 55-56]**

a receiving means for receiving identification data; **[col.7, lines 25-27]**

a determining means for continuously determining whether identification data stored in said storage means is received by said receiving means; **[col.4, lines 13-15]**

an authentication means for authenticating against said stored identification data identification data determined by said determining means as having been received; and **[col.4, lines 16-17]**

a data processing means for carrying out data processing on the basis of a detection result of said operation detection in the case that a positive result is obtained by said authentication means. **[col.4, lines 18-20 and col.8, line 63 – col.9, line 2]**

As per claim 2:   See col.4, lines 16-20 and col.8, line 63 – col.9, line 2; discusses said storage means is used to pre-store user data as well as said identification data and said authentication means authenticates against said

stored identification data identification data determined by said determining

means as having been received after input of data the same as said user data is

detected by said operation detection means;

As per claim 3:

A control method for a data processor, comprising:

a receiving step of receiving identification data in a receiving means;

[col.7, lines 25-27]

a determining step of determining continuously whether identification

data stored in storage means is received in said receiving means; **[col.4, lines

13-15]**

an authenticating step of authenticating against said stored

identification data identification data determined in said determining step as

having been received; **[col.4, lines 16-17]**

a detection step of detecting an operation of an operating device; and

[col.4, lines 47-48 and col.9, lines 51-52]

a data processing step of carrying out data processing on the basis of a

detection result of said detection step in the case that a result of said

authenticating step is positive. **[col.4, lines 18-20 and col.8, line 63 – col.9,

line 2]**

As per claim 4:   See col.4, lines 16-20 and col.8, line 63 – col.9, line 2;

discusses a step of pre-storing user data in said storage means, said

authenticating step comprising; authenticating against said stored

identification data identification data determined in said determining step as

having been received after input of data the same as said user data is detected

by an operation detection means.

As per claim 5:

A control program product for a computer for executing the processes of:

receiving identification data in a receiving means; **[col.7, lines 25-27]**

determining continuously whether identification data stored in a storage

means is received; **[col.4, lines 13-15]**

authenticating against said stored identification data identification data

determined in said determining step as having been received; **[col.4, lines 16-**

17]

detecting an operation of an operating device; and **[col.4, lines 47-48**

and col.9, lines 51-52]

carrying out data processing on the basis of a detection result of said

operation detecting step in the case that a result of said authenticating process

is positive. **[col.4, lines 18-20 and col.8, line 63 – col.9, line 2]**

As per claim 6:   See col.4, lines 16-20 and col.8, line 63 – col.9, line 2;

discusses for a computer further executing a process of pre-storing user data

in said storage means, said authenticating includes; authenticating against

said stored identification data identification data determined in said

determining process as having been received after input of data the same as

said user data is detected by an operation detection means.

As per claim 7:

A computer-readable recording medium that has recorded a control program

for causing a computer execute the processes of:

receiving identification data in a receiving means; **[col.7, lines 25-27]**

determining continuously whether identification data stored in a storage

means is received; **[col.4, lines 13-15]**

authenticating against said stored identification data identification data

determined in said determining step as having been received; **[col.4, lines 16-**

17]

detecting an operation of an operating device; and **[col.4, lines 47-48**

and col.9, lines 51-52]

carrying out a data processing on the basis of a detection result of said

operation detecting process in the case that a result of said authenticating

process is positive. **[col.4, lines 18-20 and col.8, line 63 – col.9, line 2]**

As per claim 8:   See col., lines ; discusses control program for a computer

further executes a process of pre-storing user data in said storage means, said

authenticating process comprising; authenticating against said stored

identification data identification data determined in said determining process

as having been received after input of data the same as said user data is

detected by an operation detection means.

Claim Objections

4.   Claims 1-8 are objected to because of the following informalities:

claims 1-8 recites "an authentication means for authenticating against said

stored identification data identification data determined..." where the Examiner

finds the "stored identification data identification data determined" confusing.

The Examiner cannot determine whether it is a grammatical error that

contains duplicated wordings or it is a run-on sentence that is supposed to

define the difference of the stored identification data and the identification data

used for determining means.

Claims 2 does needs to end in a period.

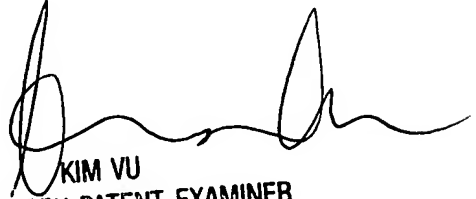**Appropriate correction is required.**

Conclusion

Any inquiry concerning this communication or earlier communications

from the examiner should be directed to LEYNNA T. HA whose telephone

number is (571) 272-3851. The examiner can normally be reached on Monday

- Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax

phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LHa

KIM VU
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